

#### **IV. REMARKS**

1. Replacement drawings are submitted herewith to include the required legends.
2. The Abstract is amended.
3. Claims 1 and 11 are amended to clarify the language of the claim and address the 35 USC 112 rejection.

Applicant's claimed subject matter is directed to removing peaks with spurious paths in the allocation of rake fingers to paths. The delay section process, or path allocation means compares the temporal distances between the delay output by the impulse measurement process. If none of the distances are the equivalent of 1.5 chips, the four delays have the greatest magnitudes are selected and applied to the rake fingers.

If any 1.5 chip distances are found, the magnitudes of the peaks in the pair are measured and the peak of the current pair having the lower magnitude is removed from the set of peaks output by the impulse response measurement means. The wording wherein if the magnitudes of the pair of peaks differ from a predetermined value calculated to exclude spurious paths can generally be interpreted to mean that the ratio of the pair's amplitudes fall within a predetermined range.

When all of the pairs of 1.5 chip separated peaks are processed, the best four remaining peaks are selected and the corresponding delays provided to the rake fingers.

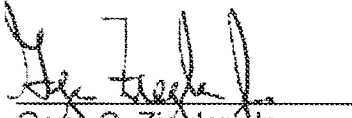
Thus, resources are not wasted by allocating rake fingers to spurious paths.

It is respectfully submitted that all of the claims present in the application are clearly novel and patentable, and are in proper form for allowance. Accordingly, favorable consideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

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The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Geza C. Ziegler, Jr.", is written over a horizontal line.

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